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REMARKS

This response is intended as a full and complete response to the non-final Office Action mailed July 1, 2005.

Claims 1, 2, 5, 7-10, 13, and 14 are pending. Claims 3, 11, and 12 are cancelled without prejudice or disclaimer. New claims 13 and 14 are added. The amendments contain no new matter and are fully supported by Applicants' original specification, including the drawings and the original claims. Applicants, by amending the claims, do not acquiesce to the Examiner's characterizations of the art of record or to the characterizations of the subject matter recited in the pending claims. Further, Applicants do not acquiesce to the Examiner's statements as to the applicability of the art of record to the pending claims.

In view of the above amendments and the following discussion, Applicants traverse the rejections and respectfully request reconsideration, because Applicants believe that the claims are allowable.

The Office Action rejected claims 1-3, 5, and 8-12 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,986,650 to Ellis et al. ("Ellis").

Anticipation under §102 requires that the reference teach each and every claim element, as arranged in the claim. Ellis fails to teach each and every claim element as arranged in the claim. For example, Ellis fails to teach generating and encoding bitmaps for the broadcast video presentation and the channel information window at a headend and, then, transmitting them to the set top terminal, where they are decoded and composited.

Claim 1 recites (emphasis added):

A method for providing channel information windows, comprising:
generating, at a headend, at least one bitmap for a broadcast video presentation and at least one bitmap for a channel information window, the broadcast video presentation being programming from one of a plurality of channels;
encoding, at the headend, the bitmap for the broadcast video presentation and the bitmap for the channel information window;
transmitting, from the headend to a set top terminal, the bitmap for the broadcast video presentation and the bitmap for the channel information window;

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> receiving, at the set top terminal, a signal to activate the channel information window;
>
> **decoding, at the set top terminal**, the bitmap for the broadcast video presentation and the bitmap for the channel information window; and
>
> *compositing, at the set top terminal*, the bitmap for the channel information window and the bitmap for the broadcast video presentation to produce a video stream for a display so that the channel information window overlays and obscures at least a portion of the broadcast video presentation on the display.

Ellis fails to teach at least generating and encoding bitmaps for the broadcast video presentation and the channel information window at a headend and, then, transmitting them to the set top terminal, where they are decoded and composited. By contrast, Ellis discloses performing video generation at the "cable converter box", not at the headend as claimed. (Ellis, col. 6, lines 28-44).

This distinction becomes clearer by comparing figure 1 in Ellis with figure 2 of Applicant's disclosure. In Ellis' figure 1, the "cable converter box" shown includes a video display generator 23. The video display generator 23 includes a RGB video generator 24 and a video overlay device 25. By contrast, the set top terminal in Applicant's figure 2 includes a video decoder 250 and a compositor 290, but no video generator. That is because in the claimed invention, video is generated at the headend, not at the set top terminal, as claimed.

Prior similar windows, like Ellis's "graphic overlay", have been generated at a set top terminal. The claimed invention generates a channel information window at the headend. Because the channel information window is generated at the headend, rather than at the set top box as in Ellis, the set top terminal is simplified and can be made less expensively.

Therefore, claim 1 is patentable over Ellis under §102, because Ellis fails to teach at least generating and encoding bitmaps for the broadcast video presentation and the channel information window at a headend and, then, transmitting them to the set top terminal, where they are decoded and composited.

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Claims 2, 13, and 14 depend from claim 1 and, thus, inherit the patentable subject matter of claim 1, while adding additional elements. Therefore, claims 2, 13, and 14 are also patentable over Ellis under §102 for at least the same reasons that claim 1 is patentable over Ellis under §102.

Claim 5 recites (emphasis added):

A method for navigating, comprising:
    generating, at a headend, a plurality of broadcast video displays and a plurality of channel information windows, the broadcast video displays including a particular broadcast video display, each broadcast video display being programming from one of a plurality of channels, the channel information windows including information about the channels;
    encoding, at the headend, the broadcast video displays and the channel information windows;
    transmitting, from the headend to the set top terminal, the broadcast video displays and the channel information windows;
    decoding, at the set top terminal, the broadcast video displays and the channel information windows;
    compositing, at the set top terminal, the particular broadcast video display and an associated one of the channel information windows to produce a video stream for a display so that the channel information window overlays and obscures at least a portion of the particular broadcast video display; and
    changing, at the set top terminal, the channel information window in response to a navigation command in a mode, while the particular broadcast video display remains the same.

Therefore, for at least the same reasons that claim 1 is patentable over Ellis under §102, claim 5 is patentable over Ellis under §102.

Claims 7 and 8 depend from claim 5 and, thus, inherit the patentable subject matter of claim 5, while adding additional elements. Therefore, claims 7 and 8 are also patentable over Ellis under §102 for at least the same reasons that claim 5 is patentable over Ellis under §102.

Claim 9 recites (emphasis added):

A method for providing channel information windows, comprising:
    generating, at a headend, a broadcast video presentation and a channel information window, the broadcast video presentation being programming from one of a plurality of channels;
    encoding, at the headend, the broadcast video presentation and the channel information window;

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transmitting, from the headend to a terminal, the broadcast video presentation and the channel information window; and

sending, from the headend to the terminal, a signal to activate the channel information window;

wherein the bitmap for the channel information window is overlaid over the broadcast video presentation so that the channel information window obscures at least a portion of the broadcast video presentation.

Therefore, for at least the same reasons that claim 1 is patentable over Ellis under §102, claim 9 is patentable over Ellis under §102.

Claim 10 recites (emphasis added):

A method for providing channel information windows, comprising:

receiving, at a terminal from a headend, a broadcast video presentation, the broadcast video presentation being programming from one of a plurality of channels;

receiving, at the terminal from the headend, a bitmap for a channel information window;

receiving, at the terminal from the headend, a signal to activate the channel information window;

decoding, at the terminal, the broadcast video presentation and the channel information window; and

compositing, at the terminal, the bitmap for the channel information window with the broadcast video presentation to produce a video stream for display so that the channel information window overlays and obscures at least a portion of the broadcast video presentation in the video stream.

Therefore, for at least the same reasons that claim 1 is patentable over Ellis under §102, claim 10 is patentable over Ellis under §102.

The Office Action rejected claim 7 under 35 U.S.C. §103(a) as being unpatentable over Ellis, taking Official Notice.

Claim 7 recites, inter alia, "changing the particular broadcast video display to a new broadcast video display, upon termination of the navigation command in that mode; wherein changing the particular broadcast video display is accomplished by generating, encoding, and transmitting video packet streams at the headend". Therefore, for at least the same reasons that claim 1 is patentable over Ellis under §102, claim 7 is patentable over Ellis and the inapposite Official Notice under §103. Applicants respectfully submit that it is not known to generate, encode, and transmit video packet

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streams for a video broadcast display and a channel information window at a headend and transmit it to a set top terminal, rather than to generate it at the set top terminal, as in the prior art like Ellis.

CONCLUSION

In view of the foregoing, Applicants respectfully request reconsideration of this application and its swift passage to issue. If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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